



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

November 2, 1990

Mr. J. Kirk Brown
General Counsel
Texas Department of Criminal Justice
Institutional Division
P.O. Box 99
Huntsville, Texas 77342-0099

OR90-525

Dear Mr. Brown:

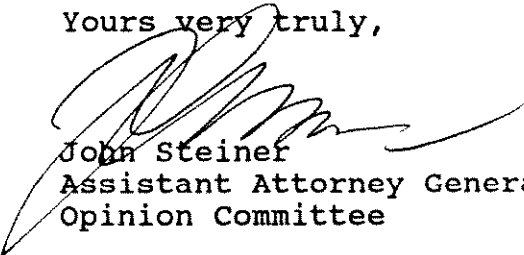
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10925.

You have requested reconsideration of letter ruling OR90-499. In OR90-499 we advised that as you had not raised any exception to public disclosure under the Open Records Act, we had no basis on which to consider any claim for exception. In your request for reconsideration you ask that we address the applicability of Open Records Decision No. 560 (1990).

In Open records Opinion No. 560 (1990) we held that as information considered "sensitive" under the Ruiz Stipulated Modification was subject to the authority of a federal court in ongoing litigation, the proper authority to determine access to such information was the forum court. If you believe that the requested information is "sensitive," then you should seek advice from the court or your legal counsel in this litigation.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-525.

Yours very truly,


John Steiner
Assistant Attorney General
Opinion Committee

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Ref.: ID# 10925, OR90-499